

COMBINED DECLARATION AND POWER OF ATTORNEY

10/540991

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SURGICAL PROCEDURES AND INSTRUMENTS, the specification of which:

☐ is attached hereto.

☒ was filed on June 28, 2005 as Application Serial No. 10/540,991 and was amended on June 28, 2005.

☒ was described and claimed in PCT International Application No. PCT/US2003/041853 filed on December 30, 2003.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
09/604,387	June 27, 2000	Issued
10/335,491 ✓	December 31, 2002 ✓	Pending

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

10 - Peter J. Devlin, Reg. No. 31,753; Celia H. Leber, Reg. No. 33,524; Phyllis K. Kristal, Reg. No. 38,524; John F. Hayden, Reg. No. 37,640; Frank R. Occhiuti, Reg. No. 35,306; Brian Dorini, Reg. No. 43,594; Diana DiBerardino, Reg. No. 45,653; George K. Stacey, Reg. No. 35,688; Joel R. Petrow, Reg. No. 30,886; and Bill Clemmons Reg. No. 32,558

Direct all telephone calls to PETER J. DEVLIN at telephone number (617) 542-5070.

Direct all correspondence to the following:

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PTO Customer Number

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

**Combined Declaration and Power of Attorney**

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